

VILLAGE OF BREWSTER
BOARD OF TRUSTEES
Draft Minutes

The Board of Trustees of the Village of Brewster is holding a Regular Meeting on 7 February 2007 at Village Hall, 208 Main Street, Brewster, New York. The meeting is called to order at 7:30 P.M. by

Present:

Mayor: John Degnan

Deputy Mayor and Trustee:

William Banks

Trustees: James Schoenig, Yoshihiko Ito,
Terri Stockburger

Village Engineer: John Folchetti,

Village Counsel: Gary Kropkowski

Clerk & Temporary Treasurer:

Peter Hansen

Absent:

Pledge to flag.

1) Public Comment

- a) Brewster Schools – Dr. Sandbank, Tim Conway - Dr. Sandbank thanked the Mayor for meeting with Mr. Conway and herself previously and addressed the board to request re-consideration of the water bill received for Garden Street School. The Superintendent indicated the bill was three times the budgeted amount and they had not received any previous notice of the imminent increase. Mr. Conway spoke further on the subject.

The Mayor prefaced any further remarks with a revised understanding of the water delivery at Garden Street School. The Mayor said at the time of their meeting he was under the impression that the school received their water un-metered when in fact the Garden Street School had a meter in the past and usage was monitored and billed.

Mr. Conway delivered a report to the Village Board detailing neighboring School districts' water rents which appear as significantly lower than current Village of Brewster water rents.

Additionally, he questioned whether the previously advertised notice which was included in a billing had been sent to Village residents and Mayor Degnan indicated it had not gone out. Mr. Conway asked about the iterative process of establishing water rates.

Mayor Degnan informed Mr. Conway and other representatives from the School District and School Board of Trustees that there had been a three year process, numerous hearings, dozens of proposed rates and structures and that the Board is still open to adjusting rates in the future. Further the Potable Water system has been very nearly completely replaced from wellhead to water tank storage, to distribution. The mayor indicated that none of the neighboring municipalities in the report could be compared "apples to apples" with the current Village potable water system.

Mr. Conway asked that the Village advise the Brewster Schools of upcoming meetings where water rates might be discussed and requested consideration as a public entity that perhaps more favorable rates might apply to them.

Mayor Degnan indicated that, as always, all members of the Village community, public, private, commercial, or otherwise are always welcome at Board meetings, work sessions, or for offline discussions. The Mayor indicated that the Village Clerk had already invested time one on one with Mr. Conway to explain the billing in more detail. Should water rents be scheduled for discussion we intend to advise the school district of the agenda item.

Dr. Jambor asked if the water rents were equally applied against all Village properties and the mayor said that they were. Mayor Degnan explained the water rent discussions have always included equitable treatment despite the fact that some accounts are using the water for commercial gain. However, the board is always open to differing opinion and argument.

- b) Jim Bruen - Jim Bruen requested to speak to an issue which appeared to be illegal dumping on an adjacent property of his. Mr. Bruen said that blacktop, concrete, and other debris had been dumped in the property making it unsightly. The property also houses a Sewer Pump Station and some of the landscape changes were due to that construction project.

Mayor Degnan said that upon receipt of Mr. Bruen's previous correspondence that the Mayor contacted DEC and the Village Code Enforcement Officer. A stop work order was issued as the property is in a protected wetland.

Trustee Ito asked who owned the property and Mr. Bruen responded that there is a corporate entity with a number of names including the Village Building Inspector, Bruce Zarzeski.

Village attorney Kropkowski explained that when a municipality has a conflict of interest with an employee of the municipality that another municipality must conduct the inquiry in response to questionable actions of municipal officials. Mr. Kropkowski said he would contact the Village Code Enforcement Officer John Leather. Mayor Degnan offered names and contact information to Mr. Bruen of

DEC officials. Mr. Bruen asked to be put on next month's agenda for follow up discussions.

- c) Christine Piccini asked about the status of public video of meetings. No further contact with Comcast has occurred. Mayor Degnan said he would like to open the franchise to other cable providers as well and would work toward that end. Video broadcasting would be a point of discussion and negotiation.
 - d) Status of Zoning Regulations - Mr. Hollis is working on several items and the Mayor has instructed him as to priorities.
- 2) Brewster Police Department update and action - Alex Mancone delivered the monthly report and due to a resignation among the ranks asked the board for authorization to replace one of the 8 officers with another Spanish speaking officer. Highlights included working with the State Police and County Sherriff to effect arrest of a wanted felon. The chief indicated he was very happy with the cooperation of both agencies.
- a) Community Affairs meeting was held at the Boone Dog on the first Thursday of the month. Chief Mancone reported that the meetings are to be twice a month from now on; the first and third Thursday. The Boone Dog venue worked well and discussion of rotating sponsorship locations was proposed.
 - b) The Brewster Shelter thanked the Village Police for defusing the distrust among some members of the community by helping people instead of threatening them.
 - c) Mayor Degnan asked for solid budget numbers. The Mayor also directed the Chief to obtain Code Enforcer certification for all officers to enable their ability to enforce building, zoning, and fire code within Village limits.
 - d) The Mayor motioned to accept the Police monthly report, Trustee Stockburger seconded, approved 5-0.
 - e) Resolution for County Sherriff E-911 - The mayor motioned and Trustee Banks seconded. Resolution Passed 5-0.
- 3) Request for Waiver of Moratorium
- a) Bill Ratajack 571 N. Main - Mayor Degnan motioned and Trustee Stockburger seconded, passed 5-0. The Waiver includes specific language for compliance. Referred to Planning board.
 - b) Joan Prisco 14 Oak Street, Steve Reinhardt – Denise and Steve Reinhardt on behalf of - presented a plan to relocate washer, dryer, and bathroom to the second floor to facilitate ease of use for an elderly parent. Motion to approve waiver by Mayor Degnan, seconded by Terri Stockburger, approved 5-0. MS4 Resolution – Gary Kropkowski and John Folchetti will go forward with ordinance to have public hearing on March 7th, 2007.

- 4) Update on House Connections – March 9th is the scheduling of bid opening. 10 bidders have requested documents. Nick Lovallo asked about schedule of connections and inspections during connections. Mr. Folchetti said the schedule will not be set until contract is awarded and there will be as much notice as possible sent to homeowners. Inspections will be made of every connection and septic tank disablement.
- 5) Building Inspector bi-monthly report –
 - a) Grease and oil still a problem at WWTP. Mr. Zarzeski sent out a packet requesting grease trap installation and maintenance records in compliance with the sewer ordinance. Mayor Degnan directed Mr. Zarzeski to put out a bi-lingual flyer to tell people not to put grease and oil down the drains. Send notice village-wide and include the fine schedule.
 - b) 50 Main St. building permit request. Mayor Degnan informed Mr. Zarzeski to refer requests to the Mayor for this property. Do not issue permit without speaking with the Mayor first.
 - c) Trustee Stockburger motioned to accept the Building Inspector Report, Trustee Ito seconds, Vote: 5-0
- 6) Retirement Plan changes/additions
 - a) Police & Fire Retirement Resolution – Proposal to adopt Police & Fire Retirement System Plan. – Not granted. Will revisit as part of the FY 2008 budget process.
 - b) Change to Employee Retirement System – Proposal to adopt plan Subdivision J of Section 41, and Subdivision J of Section 341 of the Retirement and Social Security Law. Accumulated Sick Days. Mayor Degnan motioned and Trustee Stockburger seconded authorization to adopt subdivision J as written in attached resolution. Vote: 5-0, no dissent.
- 7) 31 Main Street – Tom Sprague – Mr. Sprague presented a lease for 31 Main Street to the Board and Village Attorney. Mayor Degnan asked the Clerk and temporary treasurer if there was money available in this year's budget. The Clerk indicated there was money available under the constables contract expense line item. Mr. Sprague asked for an amendment to indicate rental begins on February 1, instead of March 1. Date is changed. Trustee Stockburger motions to accept the lease as amended, Trustee Ito seconds, Vote: 5-0 no dissent.
- 8) Authorization to repair / replace parking meters
 - a) A3320.4 On street Parking Contract Expense – balance ~\$6,000
 - i) Mayor Degnan motions and Trustee Banks seconds the authorization to expend the monies available after discussion and consensus between Trustee & Parking Commissioner Ito, Consultant Denis Castelli, and Highway Superintendent Dan Crawford meet to agree on a path forward.

- 9) Amend Taxi Local Law - 10 day waiting period from date of application. – Mayor Degnan motions and Trustee Stockburger seconds setting a public hearing for March 7th to amend the Taxi law as suggested. Vote: 5-0
- 10) Snow Ban Parking Local Law – codify annual resolutions - Mayor Degnan motions and Trustee Ito seconds setting a public hearing for March 7th to amend the Snow Ban parking law as suggested.

Vote: 5-0

11) Filing of Oaths

- a) Elected officials – copy of certificate of election issued by PC BOE
- b) Appointed officials – letter of appointment
 - i) Mayor Degnan informed the Clerk that the County Clerk was only interested in Justice O'Rourke and the Clerk. No one else is affected.

12) SEQRA clarification for 50 Main Street -

This statement was entered into the official minutes of the February 7th, 2007 meeting on advice of special counsel.

SEQRA clarification for 50 Main Street

"The Property at 50 Main Street was declared a type II action by the Village of Brewster Board of Trustees. "Type II actions are never significant and never require the preparation of a determination of significance or a draft environmental impact statement (EIS)." Therefore a negative declaration need not have been issued. The board directs the clerk to enter this statement into the meeting minutes for clarification."

13) New Business

- a) Trustee Schoenig brought up the Taxi queuing problem by the train station, specifically that Brewster Taxi may be in violation of their lease by parking taxis on MTA property. The property is designated as employee only. Mr. Schoenig will attempt to obtain a copy of the lease agreement.

14) Public Comment

- a) Christine Piccini raised the issue of snow on sidewalks and asks if the ordinance is enforced uniformly throughout the entire village. Chief Mancone will meet with any homeowner not clearing the sidewalk to determine next steps.
- b) Rick Stockburger informed the board that the rental registration law became effective December 16, 2006. Trustee Ito, Denis Castelli and Jack Gress will complete the form to be sent out and present to board for approval.

- c) Chief Mancone asked about the lack of lighting of the stairs to the tri-state lot. John Folchetti will investigate and report back.
 - d) Sean Mitts asked about the price tag of the joint water contract.
 - e) Denis Castelli informed the board of Landmarks Preservation intention to dedicate the Reading Room at the Walter Brewster House in honor of Mr. Stephens' mother and grandmother at 3 pm Sunday.
 - f) Sean Mitts asked about an update on 50 Main Street. Mayor Degnan informed Mr. Mitts that we are still working toward it and are waiting for a closing date to be given by PCCF.
- 15) Executive Session – Mayor Degnan motioned to go into executive session to discuss contract and personnel issues. Seconded by Trustee Banks. Vote: 5-0
- a) Mayor Degnan motioned to come out of executive session and Trustee Banks seconded. Vote 5-0.
- 16) Adjourn – Mayor Degnan motioned to adjourn, Trustee Ito seconded. Vote 5-0.

Respectfully submitted,

Peter Brewster Hansen
Village Clerk